



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
NORTH WESTERN AREA PLANNING COMMITTEE
03 SEPTEMBER 2018**

Application Number	FUL/MAL/18/00619
Location	Land West Of Abbottswood, Beacon Hill, Great Totham
Proposal	New four bedroom dwelling with detached car port
Applicant	Mr. and Mrs. Baker
Agent	Mr. Simon Plater – Plater Claiborne Architecture and Design
Target Decision Date	03 September 2018
Case Officer	Hilary Baldwin
Parish	Great Totham
Reason for Referral to the Committee / Council	Departure from the Local Development Plan and the Officer recommendation is for approval

1. RECOMMENDATION

APPROVE subject to the condition detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

Land West Of Abbottswood, Beacon Hill, Great Totham

FUL/MAL/18/00619



Copyright

For reference purposes only.
No further copies may be made.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.
Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Maldon District Council 100018588 2014



www.maldon.gov.uk

Scale: 1:1,250

Organisation: Maldon District Council

Department: Department

Comments: North West Committee

Date: 15/08/2018

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information.

- 3.1.1 The application site forms part of the garden of Abbottswood, Beacon Hill in the parish of Great Totham. The site is roughly triangular in shape with a long highway frontage. The host dwelling is situated to the east of the site with further dwellings within the vicinity of the site.
- 3.1.2 There is an existing vehicle access from the highway with mature tree lined boundaries to the highway and the rear (north) of the site. The site is level and is currently laid to lawn.
- 3.1.3 The site lies outside of the settlement boundary of Great Totham and Wickham Bishops.
- 3.1.4 The proposal seeks planning permission for the erection of a bespoke four bedroom, two storey property, of an individual design with private amenity space around the property and a two bay garage accessed from the western end of the site. The dwelling would be located towards the eastern end of the site and designed to sit within the specific shape constraints of the site.
- 3.1.5 The dwelling would be roughly rectangular in shape with a single storey projection to the western end and a two storey projection to the rear of the eastern end which would have an angled rear elevation which would broadly reflect the angle of the rear boundary of the site. It would have overall measurements of 19.7m wide and overall depth of 14m. The rear elevation would have an measurement of 22m in length overall but this rear elevation would incorporate slanting and stepped elevations to suit the internal accommodation and address the design considerations overall. The overall ridge height is set at 8.4m with the overall height of the western end single storey projection being set at 6.4m.
- 3.1.6 The layout would result in the main ridge being parallel with the highway with a glazed central atrium facing Beacon Hill. To the rear, the two storey section would comprise glazed walls to the ground floor to the slanting eastern end and the shallow single storey section on the western end. First floor fenestration is proposed within all elevations although those within the eastern side elevation would serve bathroom facilities only.
- 3.1.7 In terms of materials, the dwelling would comprise buff coloured face brickwork sections, glazed walling and rendered elements to the first floor. A natural slate tile roof is proposed with powder coated aluminium fenestration and a bespoke glazed walling system.
- 3.1.8 A new vehicle access is proposed to the western end of the site which would provide access to a detached garage set adjacent to the rear boundary of the site. The proposed garage, which is in the style of a cartlodge with open vehicle bays, weatherboard elevations natural slate roof, would be set perpendicular to the highway. The overall measurements are 6.7m wide by 5.5m deep and with an overall pitched roof ridge height of 5.2m.

3.2 Conclusion

- 3.2.1 The proposed development is contrary to policy S8 of the approved Local Development Plan. However, whilst the site is outside of the defined settlement boundaries of Great Totham and Wickham Bishops is in close proximity to the settlement of Wickham Bishops and the site is bounded by the gardens of adjacent residential properties. The site would therefore not be an isolated development in the countryside and has reasonable access to village services and support facilities which is comparable to other dwellings in this locality. Whilst Wickham Bishops is itself located within a rural area, in the context of the District as a whole it has reasonable access to facilities and is not without advantages. Whilst the element of sustainability in terms of the social elements is considered acceptable, the dimensions of the environmental and impact upon the character and appearance of the area must be considered.
- 3.2.2 It must be noted that the site has been subject to two previous proposals for residential development, (referenced within a subsequent section of this report), The first being withdrawn by the applicant to enable further design considerations and the second being refused by the LPA for the reasons of overall design, scale and height and due to the impact upon adjacent neighbouring occupiers. No objection was raised to the principle of the development and this was at a time when the Council could demonstrate a five year supply of housing land.
- 3.2.3 The overall design concerns of the LPA are considered to have been addressed. This has been achieved through a series of pre-application meetings and discussions with the agent and their architect and the proposal subject of this report is considered to result in an acceptable design and architectural solution whilst taking into account adjacent neighbouring occupiers. Therefore albeit the site is outside of a defined settlement boundary, and therefore contrary to the strategic policies in principle, it is considered to be of an acceptable design and not represent an isolated development which would warrant a reason for refusal.
- 3.2.4 The proposal is therefore considered to accord with the overarching objectives of the Framework and that documents definition of sustainability. The objectives being economic, social and environmental. For this reason, whilst representing a departure from the LDP, it is considered that other material considerations can justify the granting of planning permission.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2018 including paragraphs:

- 11 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 124-132 Achieving well-designed places.

4.2 Maldon District Local Development Plan submitted to the Secretary of State for Examination-in-Public on 25 April 2014:

- S1 Sustainable Development
- S2 Strategic Growth
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide (2017) (MDDG)
- Vehicle Parking Standards (VPS SPD)

5. MAIN CONSIDERATIONS

5.1 Relevant Planning History

5.1.1 The site has been subject to two preceding applications for the development of the garden for the siting of a new detached residential property. The first of those proposals was withdrawn by the applicant pending design considerations. The second was refused permission by the LPA as there was Officer concern with regard to the overall design considerations and the resultant impact upon the adjacent neighbouring occupiers. Albeit those occupiers are the applicants for the scheme, the LPA must consider the level of detrimental impact based upon the residential use and not that of the current occupier.

5.1.2 Since the time of the previously refused proposal, the LPA has undertaken meetings with the applicant and provided written advice in relation to design and architectural considerations in relation to the site constraints.

5.1.3 For clarity it is considered appropriate to provide the reasons for refusal of the preceding application, which were as follows:

- 1 The proposed development on this site, by reason of its unsympathetic design, scale and height, would represent a contrived development out of keeping with the prevailing pattern of development. It would fail to make a positive contribution and would result in an unacceptable degree of harm failing to protect or enhance the natural beauty, tranquillity, amenity and traditional quality of the area by introducing unacceptable built form onto a site that currently forms an integral part of, and contributes to, the arcadian value of the area. The proposal would therefore be contrary to policies BE1, CC6 and CC7 of the adopted Maldon District Replacement Local Plan, emerging policy D1 of the Local Development Plan and core planning principles and guidance contained in the National Planning Policy Framework.*

- 2 *The proposed development by reason of its close proximity to the adjacent dwelling to the east of the site would result in an unneighbourly form of development that would have an overbearing and detrimental impact on the amenity of the neighbouring occupiers. Furthermore, the siting of the dwelling and its second floor rear elevation windows, would allow overlooking of the private rear amenity spaces of properties within Braxted. Therefore, the proposed development would be contrary to policies BE1 of the adopted Maldon District Replacement Local Plan and D1 of the emerging Local Development Plan and the guidance and provisions as contained within the NPPF.*

- 5.1.4 As can be determined from those reasons for refusal, the proposal was refused on design and the detrimental impact upon adjacent occupiers. The proposal was not refused upon the siting of the development or the principle of a new residential dwelling in this location. Albeit since that time, the Council is in receipt of the approved policies within the LDP and the Framework itself has also been revised, the overall strategic thrust of the local policies are not considered so different as to warrant the LPA to come to a different recommendation in terms of accessibility and it is not considered that a reason for refusal based solely on location outside of a settlement boundary should be advanced without first assessing other relevant material considerations.

5.2 Principle of Development

- 5.2.1 The proposal is for a new dwelling outside of the settlement boundaries of Great Totham and Wickham Bishops as defined by the approved Maldon District Local Development Plan and is therefore considered contrary to policy in principle. The site is located within the semi-rural area outside any defined development boundary and approved policies S1, S2 and S8 of the Local Development Plan provide the strategic position for the future growth and direction of travel of the built environment for the Maldon District. The approved plan and specifically the strategic policies seek to deliver residential growth whilst contributing to protecting and enhancing the District's natural, built and historic environment.
- 5.2.2 The NPPF is also clear that sustainable development is at the heart of the planning system. The Framework's definition of sustainable development has three key dimensions that are mutually dependent upon each other and need to be balanced. These are the economic, social and environmental roles. This requirement is carried through to local policies via policies S1 and S2 of the approved LDP which emphasizes the need for sustainable development.
- 5.2.3 However, whilst the Maldon District, outside of the defined settlement boundaries is predominantly rural in nature, assessment of this must be viewed on a site by site case and the area known as Beacon Hill is considered to comprise a predominantly residential area with an Arcadian style layout.
- 5.2.4 The site, whilst outside of the settlement boundary of Wickham Bishops, is close to other housing and as such would not appear as an isolated development in the countryside. It would be as accessible to services as other dwellings in the settlement boundary. Whilst Wickham Bishops is located within a rural district in the context of the whole district it does have some facilities. However, whilst the element of

sustainability in terms of the social element may be considered acceptable, the dimension of the environmental role and the impact upon the character and appearance of the area overall must be considered. This assessment is undertaken within a subsequent section of this report.

- 5.2.5 Notwithstanding the recently published revisions to the Framework, the Council can still demonstrate a verified 5 year housing land supply which is considered in accordance with Paragraphs 73 and 74 of the new Framework. Furthermore, the Council considers that albeit the approved LDP predated the publication of the revised Framework, the strategic policies are in compliance with the overall guidance and provisions to protect the rural areas of the countryside. However, as previously assessed, the area known as Beacon Hill is relatively sustainable in terms of accessibility to the services and facilities within Wickham Bishops and the site is not an isolated site in a rural area.

5.3 Design and Impact on the Character of the Area.

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.

- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and works and helps make development acceptable to communities.”

Paragraph 127, f) also states that planning decisions should;

“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Whilst paragraph 130 states that;

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

- 5.3.3 This principle of good quality design is reflected in the approved LDP. The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;

- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

- 5.3.4 Approved Policy H4 states that development is design led and that to promote sustainable development it is essential for proposal to utilize developable land in the most efficient and effective manner whilst having regard to the quality of the local environment. This policy states that any infill development is assessed against the unacceptable land loss and must not include loss of land important to landscape interest.
- 5.3.5 Furthermore, the Council has now formally adopted the MDDG (2017), which promotes best practices in delivering quality design across the District. This document requires similar high quality design, appropriate layout and scale and detailing of development.
- 5.3.6 The submitted plans indicate a dwelling whose scale and bulk are considered to reflect the adjacent dwelling to the east of the site. When progressing east along Beacon Hill, it is noted that there are disparate designs of dwellings but they increase in scale and height. As previously stated, the preceding application was considered to result in a dwelling which was unsympathetic due to its scale and height and therefore design. The current proposal has reduced the overall height from 10.2m to an overall height of 8.4m and reduced the width from 21m to 19.7m. Furthermore, it is noted that the overall height of the host dwelling to the east of the site, known as Abbottswood is 8.5m. Whilst it is noted that Abbottswood is set further back from the highway than the proposed dwelling, the proposed design of the front facing (southern elevation) sloping roof and the slight decrease in land levels from east to west along Beacon Hill, would allow the proposed dwelling to assimilate into the plot in terms of massing and visual impact upon the street scene. Additionally, the dwelling to the west of the plot, known as Quilters, whilst having an overall height of 7.5m is set close to the highway and has an open frontage to the highway. It is considered that this property is more visually prominent within Beacon Hill than the host dwelling Abbottswood and the proposed dwelling.
- 5.3.7 It was also noted on the initial site visit, that the dwellings to the rear (north) of the site, whilst being two storey, are set on land that topographically, is noticeably lower and the construction of a dwelling with a 10.2m ridge height was considered to result in a large expansive property out of keeping and character with the size of the plot.
- 5.3.8 The current proposal has reduced the overall number of bedrooms from five to four and reduced the floor levels from three to two and therefore the overall bulk, scale and height is now considered to be of an acceptable magnitude to have overcome the previous concerns for that element.
- 5.3.9 The overall design considerations must also be taken into account. The preceding proposal was considered to represent an unusual bespoke design which took account of the site's reducing width towards to the western end and of the site constraints in relation to an easement running parallel with the northern boundary of the site as no

development can take place within 3m of that easement. The design per se of the preceding application was not considered out of keeping due to the eclectic mix of properties within the wider area. However, the overall bulk and scale was considered objectionable.

- 5.3.10 As such, a similar design of dwelling with a reduced ridge of 8.4m in height and the reduced overall width to 19.7m which includes a more distinct single storey side elevation projection is considered to have overcome previous concerns in relation to design. Furthermore as the dwelling would be set 12m from the rear boundary, it is also considered acceptable in terms of the wider residential area and glimpses of the dwelling from between the properties within Braxted Road.
- 5.3.11 No objection was raised for the preceding application in terms of the location of the highway access or the detached garage. These elements remain the same as the preceding application and there is no concern in relation to these elements of the proposal. For clarity, the proposed vehicle access is to the west of the site with the shingled access leading to a garage set adjacent to the rear (northern) boundary. The proposed garage, which is in the style of a cartlodge with open vehicle bays, weatherboard elevations natural slate roof, would be set perpendicular to the highway. The overall measurements are 6.7m wide by 5.5m deep and with an overall pitched roof ridge height of 5.2m.
- 5.3.12 It is noted that the revised Framework (2018), at paragraph 70 states that LPA's should not include or consider residential gardens as windfall sites where this would cause harm to the local area. Due to the design and scale revisions proposed within the current submission, the previously identified harm is considered to have been addressed by the proposal and to have addressed the previous LPA concerns.
- 5.3.13 The proposed dwelling is of a bespoke design and there are site constraints due to the shape and unusual topographic differences to properties at the rear of the site. As such it is considered that consideration of further development of the resultant dwelling on the site by the LPA is appropriate and therefore conditions to restrict extensions, outbuildings and roofscape changes are necessary in this instance.
- 5.3.14 Subject to a condition to request submission of details of elevational materials and to restrict additional development, the proposal is considered to accord with policies D1 and H4 of the LDP and that the impact of the development on the character and appearance of the site, when viewed in context of sustainability as defined by the Framework would not outweigh the benefits of the proposal when assessed against the compliant policies of the LDP and the revised Framework.

5.4 Effect on amenity of neighbouring occupiers.

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.
- 5.4.2 The host dwelling to the east of the site, known as Abbottswood, would be 9.5m from the new common boundary with the application site, with the proposed dwelling being set 4.4m from that boundary. Whilst this distance has not changed within the current proposal from that previously proposed, the reduced ridge height and the

inclusion of windows which would only serve bathrooms facilities at first floor is considered to have overcome concerns relating to inter-overlooking from the eastern side elevation. Furthermore, the revised design has rationalised the first floor windows and the previously proposed glazed walling to the eastern end of the rear elevation. As such the potential for overlooking of the private rear amenity space of Abbottswood and the adjacent neighbouring private rear gardens within Braxted Road has been significantly reduced.

- 5.4.3 In addition to this, there was concern that the second floor accommodation would allow views into the private gardens of the dwellings within Braxted Road by way of the height and expanse of the second floor glazed walling to the rear of the dwelling. In the current proposal, the second floor accommodation has been removed and the glazed walling in that location at first floor level has been replaced with a solid wall at first floor level. Whilst there is still a small element of first floor glazed walling, this is limited to the western end of the first floor accommodation which due to the distance to the boundary, in excess of 13m, is not considered to result in significant levels of overlooking as to warrant a reason for refusal. The back to back distance between the proposed dwelling and the existing dwellings within Braxted Road are in excess of 40m and the previously identified harm, on balance, is now considered to have been overcome. This has principally been achieved by way of the reduction in floor levels which would have provided a more acute angle for overlooking of adjacent gardens and private land.
- 5.4.4 It is noted that letters of representation have been received which question the position of the garage in relation to the northern boundary and the change in topography between the adjacent sites. The garage structure would be set close to the common boundary with the adjacent plots. However, the garden to the north of the boundary does not contain a dwelling and is utilized solely as amenity land for the enjoyment of the current owner. Furthermore, the side elevation of the garage would be adjacent to the boundary and as such this limited depth of 5.5m and ridge height of 5.2m. would lessen the impact of an ancillary outbuilding. There are mature boundary hedgerow treatments in this location and a 1.8m existing fence and only triangular roof shape would be viewed above the boundary.
- 5.4.5 The proposal is therefore accord with approved policy D1 of the LDP for this element.

5.5 Access, Parking and Highway Safety.

- 5.5.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Maldon District Council Supplementary Planning Document (SPD), states that residential dwellings comprising three or more bedrooms require a maximum of three parking spaces. The plans show that the dwelling would provide garage parking for two cars with additional off-street parking and the scheme is therefore considered to accord with the adopted parking standards criterion.

5.5.3 Essex County Council Highway Authority has been consulted on the application in terms of highway safety and whilst there is no record of a consultation response for this application, there is no discernible change in this respect between the current and preceding schemes. The Highway response for the preceding application raised no objection to the scheme subject to conditions for minimum sizes of vehicle hard-standing and garage space which is met in this instance. Further conditions were recommended for driveway material and vehicle turning and parking provision. Such conditions are considered relevant and necessary in this instance and could be appended to any subsequent grant of permission.

5.5.4 The scheme is therefore considered to accord with the criteria of adopted LP policies T2 and T2 and emerging policy T2 of the submitted LDP

5.6 Provision of Amenity Space and Landscaping.

5.6.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Essex Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100sq.m. of private amenity space for dwellings with three or more bedrooms.

5.6.2 The protection and retention of the existing boundary treatments would help assimilate any new dwelling into the site. No specific landscaping plans have been submitted with the proposal, but the application site already comprises mature boundary treatment and tree lined frontage. Subject to a condition for their protection and retention, it is not considered necessary or reasonable to impose any further conditions for landscaping should permission be granted.

5.6.3 In this respect the scheme is considered to accord with policies D1, N2 and H4 of the LDP.

5.7 Other Considerations.

5.7.1 The Parish Council has raised an objection to the proposal as it is considered that the proposed development would be detrimental to the identity and special characteristic of this tranquil area. It is considered by the Parish that the proposal would have a harmful effect on the surrounding locality and its properties, some of which are listed. The design is unacceptable, prominent and unpleasing and would add to the volume of traffic on an already busy road. Their comments have been addressed within the main body of the report.

5.7.2 The Councils Environmental Health Service has been consulted as this proposal represents a new dwelling. There is no objection to the proposal but conditions for the details of foul and surface water drainage schemes are recommended. Such conditions are considered appropriate and necessary in this instance and can be appended to any grant of permission.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/17/00057** – New four bedroom dwelling with detached car port.
Refused: 29 March 2017
- **FUL/MAL/16/00912** – New four bedroom dwelling with internal garage on land to the west of Abbottswood.
Withdrawn.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Great Totham Parish Council	Object: Design, scale and impact upon character of area and neighbouring properties Impact upon highway	The comments of the Parish Council are noted

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highway Authority	No response at time of writing report	Any comments received will be addressed by way of the Members Update

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee		Officer Response
Environmental Health Service	No Objection Subject to conditions for Surface Water and Foul Drainage	The comments of the EHS are noted

7.4 Representations received from Interested Parties (*summarised*)

- 7.4.1 Letters were received objecting to the application and the reasons for objection are summarized as set out in the table below.

Objection Comments	Officer Response
The property is not in keeping The garage is too close to the north boundary and the easement The garage is prominent and in an	The comments of objectors have been noted and addressed within the report

Objection Comments	Officer Response
elevated position approximately 8feet above the neighbours land to the north-west Speculative infilling has been vigorously resisted by MDC before	

8. **PROPOSED CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

2. The development hereby permitted shall accord with that shown on drawing No's, 1601/C/10, 16018/C/11, 1601/C/12, 1601/C/13, 1601/14m, 1601/18/C, 1601/C/16, 1601/17/C and 13873/JD/1 which are specifically referenced on this decision notice and forms part of this permission.

REASON To ensure that the development is carried out in accordance with the details as approved.

3. No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved materials.

REASON To ensure that the details of the proposal are acceptable and in the interests of local amenity in accordance with policy D1 of the Maldon District Local Development Plan.

4. Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:

- 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.
- 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)

You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

REASON To ensure the incorporation of an appropriate drainage scheme in accordance with policy D2 of the Maldon District Local Development Plan.

- 5 Prior to the commencement of the development details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.
REASON To ensure the incorporation of an appropriate drainage scheme in accordance with policy D2 of the approved Maldon District Local Development Plan.
- 6 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings (other than ancillary outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site without planning permission having been obtained from the local planning authority.
REASON In order to protect local visual amenity and the amenity of the occupiers of adjacent dwellings in accordance with policy D1 of the approved Maldon District Local Development Plan.
- 7 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no dormer window or other form of addition or opening shall be constructed in the roof or gable walls of the development hereby permitted without planning permission having been obtained from the local planning authority.
REASON In order to protect local visual amenity and the amenity of the occupiers of adjacent dwellings in accordance with policy D1 of the approved Maldon District Local Development Plan.
- 8 Prior to the first occupation of the proposed development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.
REASON In the interests of highway safety in accordance with policy T2 of the approved Maldon District Local Development Plan.
- 9 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary.
REASON To avoid the displacement of loose material on to the highway in the interests of highway safety and in accordance with policy T2 of the approved Maldon District Local Development Plan.
- 10 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and under body washing facilities
- REASON To avoid the displacement of loose material on to the highway in the interests of highway safety and in accordance with policy T2 of the approved Maldon District Local Development Plan.
- 11 Prior to the first beneficial occupation of the dwelling hereby approved, the first floor eastern elevation windows as shown on drawings: 1601/C/11 and 1601/C/12 shall be opaque glazed and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.

REASON In order to protect the amenity of the occupants of the neighbouring dwelling in accordance with policies D1 and H4 of the approved Maldon District Local Development Plan.

- 12 No development shall take place until full details of both hard and soft landscape works to be carried including details of a planting implementation scheme, aftercare and maintenance and replacement programme out have been submitted to the Local Planning Authority for approval in writing. The scheme shall also include details of the retention and protection of hedges at the site boundaries. The landscape works shall be carried out in accordance with the approved details with soft landscape works carried out within the first available planting season (October to March inclusive) following the commencement of the development.

REASON To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policy D1 of the Maldon District Local Development and the provision and guidance of the NPPF.

- 13 Prior to the commencement of the development, and before any equipment, machinery or materials are brought to the site for the purposes of the development, a written statement detailing the retention and protection of trees on the site shall be submitted to and approved in writing by the local planning authority. The submitted statement shall include a survey and assessment of all trees on the site and shall identify on a scaled drawing those trees to be retained and where arboricultural work is proposed. It shall also detail the measures and means of protecting the trees on the site. The development shall be carried out fully in accordance with the agreed details. If within five years from the completion of the development a tree which is agreed to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the local planning authority.

REASON To secure the retention of the trees within the site in the interests of visual amenity and the character of the area in accordance with policies D1 and N2 of the approved Maldon District Local Development Plan and the guidance and provisions as contained within the NPPF.

- 14 The carport hereby permitted within the site shall only be used for those purposes incidental to the enjoyment of the dwellinghouse to which it relates and not for any commercial or business purposes or as annexe accommodation.

REASON In order to preserve to protect the amenities of the occupants of neighbouring dwelling in accordance with policy D1 of the Maldon District Local Development Plan.